



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,143	12/07/2001	Hugues Cheron	111393	8069

25944 7590 05/06/2003

OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

NEGRON, ISMAEL

ART UNIT PAPER NUMBER

2875

DATE MAILED: 05/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,143

Applicant(s)

CHERON ET AL.

Examiner

Ismael Negron

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 11 February 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on February 11, 2003 has been entered. Claim 1 has been amended. No claims have been cancelled. Claim 10 has been added. Claims 1-10 are still pending in this application, with claims 1 and 10 being independent.
2. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on February 11, 2003 have been approved. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (U.S. Pat. 5,850,803).

Jones et al. discloses a motor vehicle having:

- **a vehicle body panel**, Figure 1, reference number 14;
- **a light unit**, Figure 1, reference numbers 28 and 30;

Art Unit: 2875

- **the vehicle body being made of a plastic material**, column 2, line 36;
- **the light unit having a housing**, Figure 3, reference number 36;
- **a transparent lens closing the housing**, Figure 3, reference number 34;
- **the transparent lens being for allowing light emitted by the light unit to be diffused out of the housing**, column 3, lines 24-26;
- **the body panel forming at least part of the lighting unit**, column 3, lines 26-28;
- **the body panel forming the housing**, column 3, lines 36-28;
- **the transparent lens being fixed to the housing**, column 3, lines 28-37;
- **the transparent lens being snap-fastened to the housing**, Figure 3;
- **the transparent lens including an annular skirt**, Figure 3, reference number 40;
- **the housing including a peripheral groove**, Figure 3, reference number 44;
- **a gasket**, Figure 3, reference number 42;
- **the gasket being disposed at the bottom of the peripheral groove**, column 3, lines 30-33;

- **the annular skirt being received in the peripheral groove by the gasket**, column 3, lines 30-33; and
- **the housing being made in part by the body panel**, column 3, lines 26-28.

Jones et al. discloses all the limitations of the claims, except the light unit having light emitting diodes (LED) as the light sources.

The examiner takes Official Notice that the use of LEDs is old and well known in the illumination art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute an LED for the light source in the system of Jones et al.. One would have been motivated since LEDs are recognized in the illumination art to have many desirable advantages, including reduced size, high efficiency, low power consumption, long life, resistance to vibrations, and low heat production, over other light sources.

Regarding the claimed invention being a "car" bumper and not a watercraft bumper (as disclosed by Jones et al.), it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the watercraft bumper of Jones et al. to be used in car bumpers. Such car bumpers with integral lamp wells having many advantages evidenced by Jones et al. In addition, it is noted that adapting the bumper of Jones et al. to be used as car bumpers was well within the skill of one of ordinary skill in the art, and that such adaptation would have flown naturally from the disclosure of Jones et al.

Art Unit: 2875

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (U.S. Pat. 5,850,803) in view of Bals et al. (U.S. Pat. 4,750,093).

Jones et al. discloses a motor vehicle having:

- **a vehicle body panel**, Figure 1, reference number 14;
- **a light unit**, Figure 1, reference numbers 28 and 30;
- **the vehicle body being made of a plastic material**, column 2, line 36;
- **the light unit having a housing**, Figure 3, reference number 36;
- **a transparent lens closing the housing**, Figure 3, reference number 34;
- **the transparent lens being for allowing light emitted by the light unit to be diffused out of the housing**, column 3, lines 24-26;
- **the body panel forming at least part of the lighting unit**, column 3, lines 26-28;
- **the transparent lens being fixed to the housing**, column 3, lines 28-37;
- **the transparent lens being snap-fastened to the housing**, Figure 3;
- **a gasket**, Figure 3, reference number 42; and
- **the gasket sealing the transparent lens against the housing**, column 3, lines 34-38.

Jones et al. discloses all the limitations of the claims, except the housing including a vent.

Bals et al. discloses a vehicle headlamp having ;

- **a light source**, Figure 1, reference number 6;
- **a lens**, Figure 1, reference number 2;
- **a reflector**, Figure 1, reference number 1;
- **an interior space**, Figure 1, reference number 13;
- **a vent**, Figure 1, reference number 11; and
- **the vent being for communicating the interior space with the atmospheric air**, column 4, lines 1-4.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the vent of Bals et al. in the light unit structure of Jones et al. to prevent the interior of the light unit to accumulate moisture, as per the teachings of Bals et al. (see column 1, lines 38-44).

Response to Arguments


5. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negrón whose telephone number is (703) 308-6086. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (703) 305-4939. The facsimile machine number for the Art Group is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.



ALAN CARIASO
PRIMARY EXAMINER

Inr

May 2, 2003